IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1007 (M/B) of 2006

Smt. Rajesh Agarwal W/o Sri Ravtinandan Agarwal
Proprietor M/s Agarwal Oil Career 31/52 Sidharth Colony,
Arya Samaj Road, Muzaffarnagar, Distt. Muzaffarnagar

..... **Petitioner**

Vs

1. Indian Oil Corporation Ltd., Northern Region Indian Oil Bhawan, Yousuf Sarai, New Delhi, Through its General Manager
2. Indian Oil Corporation Ltd. through its General Manager, Indian Oil Bhawan Kapoorthala Complex, Aliganj, Lucknow, Distt. Lucknow
3. Terminal Manager Indian Oil Corporation Ltd., Terminal Landhora, Roorkee, Distt. Hardwar
4. M/s J.P. Associates Ltd. Tehri, Distt. Tehri Garhwal

.....Respondents

Sri Manish Arora, Ld. Counsel for the petitioner
Sri S.Dhulia, Sr. Advocate, Ld. Counsel for Respondent Nos. 1 to 3
Sri V.K. Kohli, Sr. Advocate, ld. Counsel for Respondent No.4

Dated: - August 18, 2006

Coram: Hon'ble P.C. Verma,J.
Hon'ble B.S. Verma,J.

By means of this writ petition, the petitioner has prayed for writ of certiorari quashing the impugned order dated 24.2.2006 passed by Respondent No.2 contained in Annexure No.4 to this writ petition.

2. The petition is a transporter and is tank truck owner. Pursuant to the advertisement dated 28.7.2005, his tender was rejected for some mistake found in the tender forms. Now, the petitioner has come up with a case that the J.P. Associates – Respondent No.4 have been given the work order for 10 tanks on 24.2.2006.

3. It was not an award of contract of transportation to the dealers/owners of the filling station rather it was allotment of petroleum in terms of quantity to the M/S J.P. Associates for its own consumption and M/s J.P. Associates transports the allotted quantity of petroleum by its own tank trucks. Therefore, this order of supply of petroleum from Nazibabad Depot to M/s J.P. Associates is not a part of that tender which was invited for transportation of petroleum to the dealers.

4. Therefore, the writ petition is devoid of merit and is accordingly dismissed. No order as to costs.

(B.S. Verma, J.) **(P.C. Verma, J.)**

Rajeev Dang